

GODFREAD LAW FIRM, PC
6043 Hudson Road, Suite 305, Woodbury, MN 55125

January 29, 2019

Via ECF

The Honorable Wilhelmina M. Wright
334 Federal Building
316 N. Robert Street
St. Paul, MN 55101

Re: *Hansmeier v. Chowdhury*, No. 19-cv-00156-WMW and No. 18-CV-03403-WMW

- Request for consolidated appeal.
- Request for consolidated deadline of February 21.

Dear Judge Wright,

Defendants/Appellants Sandipan Chowdhury and Booth Sweet LLP (“Appellants”) have two pending appeals from contempt orders issued by the Bankruptcy Court. Prior to filing this letter, Appellants conferred with the Plaintiff, but were unable to reach a consensus on the best way to proceed.

On October 24, the Bankruptcy Court found Appellants in contempt for allegedly failing to comply with discovery requests. The order was made final on December 13 and appealed from that same day. Appellants moved this Court for a stay on December 24, which was denied on January 4.

On December 15, the Bankruptcy Court issued another finding of contempt premised upon the same alleged act of non-compliance. That order became final on January 9. Appellants moved to stay the orders on January 11. The Bankruptcy Court denied the motion to stay on January 14 and issued a report and recommendation for the Appellants’ arrest that same day. Appellants filed their notice of appeal from the second contempt order on January 22, and their objections to the report and recommendation on January 25.

Appellants believe it would simply be judicially inefficient to have duplicative litigation on competing tracks in the same forum. Each of the above-referenced contempt orders are related, as they are both appeals from the same bankruptcy adversary proceeding and involve overlapping issues of fact and legal precedent. For those reasons, Appellants ask that the appeals be deemed related and consolidated into a single appeal.

However, there remain factual and legal differences between the two appeals that require briefing. For that reason, Appellants request that the deadline for the second contempt appeal—February 21—be adopted as that for the consolidated brief.

Sincerely,



Paul A. Godfread

cc: Paul Hansmeier
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